

REMARKS

In accordance with the foregoing, claims 1, 3, 5, 7, and 8 have been amended for clarification and claim 4 has been cancelled without prejudice. No new matter has been added. Thus, claims 1-3 and 5-8 are pending and under consideration.

CLAIM OBJECTION:

In item 1 of the outstanding Office Action, the Examiner objected to claim 3 due to informalities. Claim 3 has been amended to read, "...each client other than said one client..." And claim 7 has been similarly amended for clarification.

REJECTION UNDER §112 ¶2:

In item 2, the Examiner rejected claim 1 as being indefinite. Claim 1 has been amended to read, "... obtains the distribution information from the communication blocks..." for clarification.

REJECTION UNDER 35 U.S.C. § 103 (a):

In the outstanding Office Action, claims 1, 3, 5, and 7 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,864,674 ('674) in view of U.S. Patent No. 6,233,601 ('601). Claims 2 and 6 were rejected as being unpatentable over '674 in view of '601 and in further view of U.S. Patent No. 6,212,166 ('166). And claims 4 and 8 were rejected as being unpatentable over '674 in view of '601 and in further view of U.S. Patent No. 6,269,080 ('080).

'674 is directed to a reconfigurable local area network (LAN) according to which clients in a client-server environment are connected to the LAN based on priority where the clients are inserted between higher priority (faster clients) and lower priority (slower clients) than them.

'601 discusses a mobile codebase object that travels with a mobile agent object serving as a repository of code to facilitate the operation of the agent. Accordingly, the agent mobile agent object executes a sequence of instructions on a first computer and migrates to a second computer to re-execute, allowing the mobile agent object to be transparent to the migration.

'166 discusses a data distribution method and apparatus for performing data distribution between a transmitter and a receiver where transmission confirmation is executed to indicate whether data distribution has been correctly completed.

'080 is directed to a method of providing data transfer in a communications network where an active receiver is selected from a plurality of clients.

The present invention discloses an information collection and distribution system where one of a plurality clients obtains distribution information from a communication block and circulates the communication block to the next circulation destination to reduce load on the network and the time required for collection and distribution of information.

The Examiner compares the token ring configuration discussed in '674 to the information collection and distribution system of the present invention. According to the token ring configuration discussed in '674, all the clients are connected to a hub and data is passed around the ring until it reaches its destination (See, column 2, lines 29-35 of '674). All the clients and the hub have similar functions and handle similar load of data (see, column 2, lines 36-38 of '674). And each client consistently passes the token to the next client until the destination is reached (See, column 2, lines 29-31 of '674).

As recited in amended claim 1, a client in the system of the present invention "partitions all the other clients into a plurality of groups and relays the communication blocks to one client in each of the plurality of groups" (see, FIG. 1 and corresponding text of the present invention). Accordingly, unlike the clients in '674 that continually pass the token to the next client, according to the present invention, a final client of each group passes the communication block to the one client that has partitioned the clients into groups (see, claims 1 and 5 of the present invention). This allows the system of the present invention to reduce time required for distribution and collection of information because the information is not unnecessary passed among clients between the origin of the data and the final destination. And the '674 system does not teach or suggest a client that partitions the remaining clients into groups.

Further, the client in the system of the present invention, "merges the communication blocks from said plurality of clients to form a merged communication block and relays the merged communication block to said server" (see, claim 5 of the present invention). This is unlike the '674 system where each client accesses the token that is circling around and attaches a message to the token to send the message. There is no client that receives the communication blocks from the plurality of clients and merges to relay the merged

communication block to the server.

The Examiner acknowledges that the '674 system neither teaches a communication block nor circulating the same, thus relies on '601 as disclosing a communication block including addresses and pieces of distribution information. The '601 system generates a mobile agent object including data and executable code (see, column 3, lines 21-24 of '601), which migrates as defined by an itinerary data structure containing a hostname of a destination and the name of an operation that the agent should execute when at the destination (see, column 2, lines 41-46 of '601). Accordingly, the mobile agent object is sequentially transmitted to destinations specified in the itinerary data structure. In contrast, communication blocks of the present invention are transmitted to one client, which partitions the remaining clients into groups and "relays the communication blocks to one client in each of the plurality of groups" (see, amended claims 1 and 5 of the present invention).

The client of the present invention, which partitions the remaining clients into groups, "... relays the communication block transmitted from said client to said server" as intermediate notification when a next client as the circulation destination is in a stop state (see, claims 3 and 7 of the present invention). This is unlike the '674 hub that maintains an active check of the status of each client (see, column 3, lines 5-33 of '674) because the "one client" of the present invention is the one that relays the communication block from each other client with the exception of itself and the final client as the notification of status to the server. This allows the present invention to reduce the network load resulting from status notifications sent from each client.

In item 4 of the Office Action, the Examiner states that the combination of '674 and '601 does not disclose a system where the server recognizes a client that fails in distribution based on the distribution result set in the communication block as claimed in the present invention, thus the Examiner relies on '166 as teaching the same. The '166 system, the transmission type designation device of the transmitter can receive information about a packet transmission success/failure transmitted from the receiver, and re-transmit the packets after completion of a normal packet transmission (see, column 7, line 65 through column 8, line 12 of '166). Thus, the '166 system does not disclose a system according to the present invention where the "server recognizes a client which fails in distribution on the basis of the distribution result set in the communication block transmitted from said one client", which partitions the remaining clients into groups (see, claims 2 and 6 of the present invention). This allows the present

invention to enhance the reliability of distribution of information while reducing the network traffic.

The Examiner compares the multicast method of '080 to the client of the present invention that partitions the remaining clients into groups. The '080 system designates one receiver as an active receiver at any given time and all transmission requests are done via this active receiver (see, column 6, line 67 through column 7, line 4). Consequently, because all the transfer of data is done via this active receiver, the problem of high traffic presented when multiple clients access a server still exists.

The present invention eliminates this problem because "said one client in each of the groups obtains the distribution information from the communication block and circulates a communication block in which a distribution result is set to the next client in the group on the basis of an address" (see, claim 8 of the present invention). This allows the present invention to by channel the distribution and collection of data through a client in each group and ultimately to the partitioning client to reduce network traffic.

The burden of establishing a prima facie case of obviousness based upon the prior art lies with the Examiner. In re Fritch, 23 U.S.P.Q. 2d 1780, 1783 (Fed. Cir. 1992). According to In re Fritch, the Examiner "... can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references." Since none of the relied upon references disclose an information collection and distribution system where one of a plurality clients partitions the remaining clients into a groups to allow collection and distribution of data via one client in each group, the rejection is traversed.

Accordingly, withdrawal of the rejection is requested.

CONCLUSION:

In accordance with the foregoing, claims 1,3,5,7, and 8 have been amended for clarification, and claim 4 has been cancelled without prejudice. Claims 1-3, and 5-8 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

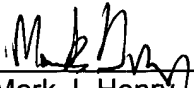
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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